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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/887,781	06/22/2001	Carol Ann	END920000180US1	8707

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EXAMINER

THAI, CANG G

ART UNIT	PAPER NUMBER
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3629

DATE MAILED: 02/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/887,781	Applicant(s) ANN ET AL.	
	Examiner Cang G. Thai	Art Unit 3629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 1/11/2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-2,4, 6, 9-10, 13-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4,6,9,10 and 13-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-2, 4, 6, 9-10 and 13-30 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent Application Publication No. 2002/0049603 (MEHRA ET AL).

As for Claim 1, MEHRA discloses an enterprise system for modeling the operation of a business enterprise and its information processing, the system comprising:

a first architectural portion integrated in a database, the first architectural portion comprising business operations and objectives of the business enterprise {Page 3, Paragraph [0056], Lines 8-10, wherein this reads over “The Platform layer 501 provides underlying infrastructure for enterprise applications, including standards-based functionality for persistence and distributed logic, application integration, content generation, and metadata queries”};

a second architectural portion integrated in the database, the second architectural portion comprising an information technology processing system which the business uses to conduct its business {Page 3, Paragraph [0057], Lines 1-4, wherein this reads over "The Core Services layer 503 is a module that provides a set of common functionality for enterprise application. It includes services such as security, internationalization, and reporting"}; and

whereby changes to one of the architectural portions are assessed for impact on the other of the architectural portions prior to implementation {Page 3, Paragraph [0058], Lines 1-6, wherein this reads over "The Common Business Objects layer 505 is a module that defines a set of business objects shared across all SABA applications. It includes objects such as Party and Plan. Vertical applications may each also contribute a set of common business objects"}.

As for Claim 2, MEHRA discloses the enterprise of Claim 1, further comprising a function of governance, which allows for the objectives of the business to be included in the database and reflected in the enterprise system {Paragraph [0060], Lines 5-8, wherein this reads over "SABA implements its managers using Entity Beans corresponding to persistent database objects, the interface as exposed to clients is solely that of the Managers"}.

As for Claim 4, MEHRA discloses the enterprise system of Claim 2, further comprising a navigator for using and modifying the architectural portions {Page 30, Paragraph [0554], Lines 6-9, wherein this reads over "web content administrators may

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substitute a different control page in a deployment environment; this allows them to use the same model while modifying just the view”}.

As for Claim 6, MEHRA discloses the enterprise system for modeling the operation of a business enterprise and its information technology processing of Claim 1 wherein the strategic direction, capabilities and principles of the business enterprise are integrated with the database {Page 3, Paragraph [0069], Lines 2-5, wherein this reads over “Using XML and open standards for ERP integration, it provides a scalable and reliable solution for batch and period import, export, and monitoring”}.

As for Claim 9, MEHRA discloses a method of coordinating a business-architecture for an organization with its information technology architecture to provide a single structure for considering the effects of changes in the organization, the steps of the method comprising:

setting forth the direction, the capabilities and the principles of the organization {Page 4, Paragraph [0112], Lines 1-3, wherein this reads over “Accountability Manager-Used to manage a variety of relationships, such as reporting and organization membership, between entities in the system”};

organizing the business architecture for the organization including its business information and processes and coupling the processes to the capabilities of the organization, the business architecture stored in a database {Page 11, Paragraph [0268], Lines 1-3, wherein this reads over “These stored procedures provide the actual intelligence of taking the marshaled arguments that come in, and storing them in specific fields in the database, and vice versa”};

organizing the information technology architecture of the organization including its application software and data and coupling the application software to the processes of the business architecture and to the principles of the organization and coupling the data to the business information, whereby changes to the business architecture flow to the information technology architecture of the organization and changes in the business architecture flow to the information technology architecture of the organization {Page 3, Paragraph [0069], Lines 2-5, wherein this reads over "The technology used as part of the system currently is, and will be, able to interface with many other industry standard software programs to make the exchange and flow of data easy and accurate"}.

As for Claim 10, MEHRA discloses a method of coordinating the operation of an organization including the steps of Claim 9 wherein the method further includes the step of providing a front-end navigator to the business architecture and the information technology architecture for ease in accessing information within the architectures {Page 3, Paragraph [0069], Lines 2-5, wherein this reads over "The technology used as part of the system currently is, and will be, able to interface with many other industry standard software programs to make the exchange and flow of data easy and accurate"}.

As for Claim 13, MEHRA discloses a method of coordinating the operation of an organization including the steps of Claim 9 wherein the business architecture includes a business structure, organization units, roles and responsibilities and features and functions as well as events which influence the processes {Page 3, Paragraph [0069], Lines 2-5, wherein this reads over "The technology used as part of the system currently

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is, and will be, able to interface with many other industry standard software programs to make the exchange and flow of data easy and accurate”}.

As for Claim 14, MEHRA discloses a method of coordinating the operation of an organization including the steps of Claim 9 wherein the information technology architecture includes reference architectures and current IT environment which influence an enterprise technology framework and the application software {Page 71, Paragraph [1117], Lines 6-12, wherein this reads over “Sun E250.TM.dual processor server can be used as a development/test system running the Sun.RTM. Solaris.RTM. operating environment, Oracle.RTM. 8i. A single processor Sun E250.TM.server can be used for the SABA Business Platform, as a Sun E4500.TM.dual processor, an IBM NetFinity 7000.TM. quad processor with a Microsoft.RTM. NT.TM. server and a Hitachi Shared Disk array”}.

As for Claim 15, MEHRA discloses a method of coordinating the operation of an organization including the steps of Claim 9 wherein the architectures are prepared in a generic format and then the method includes the step of customizing the architectures to apply to a particular instance {Page 27, Paragraph [0509], Lines 6-10, wherein this reads over “Using web standards for XML and XSL, Web Content Server 800 provides a user with a customizable framework for decoupling data from presentation, and generating web content in a variety of formats, from standard HTML to WML”}.

As for Claim 16, MEHRA discloses a method of coordinating the operation of an organization including the steps of Claim 15 wherein the step of customizing the architectures to a particular instance includes the step of customizing the architectures

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to apply to a particular industry {Page 27, Paragraph [0520], Lines 10-14, wherein this reads over "Customization--customizing the final product can certainly be accomplished with the tools used for authoring and debugging, but additional tools can radically simplify tasks like product upgrades or performing simple customizations"}.

As for Claim 17, MEHRA discloses a method of coordinating the operation of an organization including the steps of Claim 15 wherein the step of customizing the architectures to a particular instance includes the step of customizing the architectures to apply to a particular organization {Page 27, Paragraph [0520], Lines 10-14, wherein this reads over "Customization--customizing the final product can certainly be accomplished with the tools used for authoring and debugging, but additional tools can radically simplify tasks like product upgrades or performing simple customizations"}.

As for Claim 18, MEHRA discloses the enterprise system of Claim 2, further comprising an organization section integrated in the database describing an organization structure of the business enterprise, an organization structure of the information technology processing system, roles and responsibilities of members of the business enterprise, inventory of skills, education and training of members of the business enterprise, and the policies and practices of the business enterprise, and the organization structures {Page 24, Paragraph [0479], Lines 1-3, wherein this reads over "the Platform's BDK security API focuses on the database structures and SQL used to store and query security information"}.

As for Claim 19, MEHRA discloses the enterprise system of Claim 18, further comprising a business information technology alignment section integrated in the

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database describing strategies for the business operations and the information technology processing system {Page 3, Paragraph [0069], Lines 2-5, wherein this reads over “Using XML and open standards for ERP integration, it provides a scalable and reliable solution for batch and period import, export, and monitoring”}.

As for Claim 20, MEHRA discloses the enterprise system of Claim 19, further comprising an enterprise section integrated in the database describing capabilities of the business operations and the information technology processing system {Page 3, Paragraph [0069], Lines 2-5, wherein this reads over “Using XML and open standards for ERP integration, it provides a scalable and reliable solution for batch and period import, export, and monitoring”}.

As for Claim 21, MEHRA discloses the enterprise system of Claim 20, further comprising a plans section integrated in the database describing business plans, information technology plans, projects, transitions, and organization and change plans {Page 6, Paragraph [0201], Lines 1-5, wherein this reads over “Team managers 621 work with Profile Metadata 611 to define, update, and track progress towards goals. They can analyze the metadata to identify problem areas and generate plans for meeting their goals”}.

As for Claim 22, MEHRA discloses the enterprise system of Claim 21, further comprising a groups section integrated in the database describing at least one user group and how the at least one user group affects the business enterprise {Page 12, Paragraph [0289], Lines 5-9, wherein this reads over “The system is unique in that it provides a flexible model of security roles and security lists to assign a set of privileges

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to distinct groups of users, and it employs a scalable notion of domains to differentiate among sets of business objects”}.

As for Claim 23, MEHRA discloses the enterprise system of Claim 22, further comprising a products section integrated in the database, the products sections coupled to an architectural building block section {Page 16, Paragraph [0344], Lines 1-3, wherein this reads over “components based on Enterprise JavaBeans (EJBs) will be a basic building block for developing applications using the BDK”}.

As for Claim 24, MEHRA discloses the enterprise system of Claim 23, further comprising a standards section integrated in the database, the standards section coupled to the architectural building block section {Page 16, Paragraph [0344], Lines 1-3, wherein this reads over “components based on Enterprise JavaBeans (EJBs) will be a basic building block for developing applications using the BDK”}.

As for Claim 25, MEHRA discloses the enterprise system of Claim 24, further comprising a principles section integrated in the database, the principles section coupled to the enterprise section, the architectural building blocks, and the business information technology alignment section describing how each of a plurality of principles applies and is used {Page 16, Paragraph [0344], Lines 1-3, wherein this reads over “components based on Enterprise JavaBeans (EJBs) will be a basic building block for developing applications using the BDK”}.

As for Claim 26, MEHRA discloses the enterprise system of Claim 25, further comprising a business section integrated in the database, the business section describing details of the business areas and units, unit plans, business locations,

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processes and activities and needs {Page 6, Paragraph [0201], Lines 1-5, wherein this reads over “Team managers 621 work with Profile Metadata 611 to define, update, and track progress towards goals. They can analyze the metadata to identify problem areas and generate plans for meeting their goals”}.

As for Claim 27, MEHRA discloses the enterprise system of Claim 26, further comprising a reference architecture section integrated in the database describing reference architectures and models business plans {Page 6, Paragraph [0201], Lines 1-5, wherein this reads over “Team managers 621 work with Profile Metadata 611 to define, update, and track progress towards goals. They can analyze the metadata to identify problem areas and generate plans for meeting their goals”}.

As for Claim 28, MEHRA discloses the enterprise system of Claim 27, wherein the information technology processing system further comprises application software to process business information {Page 71, Paragraph [1117], Lines 6-12, wherein this reads over “Sun E250.TM.dual processor server can be used as a development/test system running the Sun.RTM. Solaris.RTM. operating environment, Oracle.RTM. 8i. A single processor Sun E250.TM.server can be used for the SABA Business Platform, as a Sun E4500.TM.dual processor, an IBM NetFinity 7000.TM. quad processor with a Microsoft.RTM. NT.TM. server and a Hitachi Shared Disk array”}.

As for Claim 29, MEHRA discloses the enterprise system of Claim 28, further comprising a delivery environment defined by the application software, data storage systems, data implementation systems to the business locations using products and standards described in the products sections and the standards section, respectively

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{Page 71, Paragraph [1117], Lines 6-12, wherein this reads over "Sun E250.TM.dual processor server can be used as a development/test system running the Sun.RTM. Solaris.RTM. operating environment, Oracle.RTM. 8i. A single processor Sun E250.TM.server can be used for the SABA Business Platform, as a Sun E4500.TM.dual processor, an IBM NetFinity 7000.TM. quad processor with a Microsoft.RTM. NT.TM. server and a Hitachi Shared Disk array"}.

As for Claim 30, which has similar limitations as in claims 1-3, 6, 9, 18-27 and 27, therefore they are rejected for the similar reasons set forth in claims 1-3, 6, 9, 18-27 and 27.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

I. U.S. Patent:

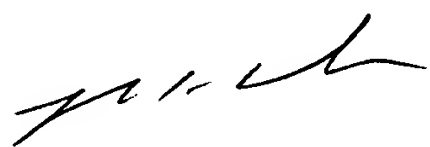
- 1) U.S. Patent No. 6,574,635 (STAUBER ET AL) is cited to teach application instantiation based upon attributes and values stored in a meta data repository, including tiering of application layers objects and components,
- 2) U.S. Patent Application Publication No. 2002/0049749 (HELGESON ET AL) is cited to teach method and apparatus for business applications server management system platform, and
- 3) U.S. Patent No. 6,789,252 (BURKE ET AL) is cited to teach building business object and business software applications of ingrediential objects.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cang (James) G. Thai whose telephone number is (571) 272-6499. The examiner can normally be reached on 6:30 AM - 3:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CGT
02/01/2006



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